

SPECIAL CIVIL APPLICATION No 682 of 2000

Hon'ble MR.JUSTICE M.C.PATEL      Sd/-

4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made by the Government

[illegible]

PIRBHAI KAMJIBHAI MALEK

Versus

STATE OF GUJARAT

THROUGH ADDITIONAL SECRETARY

MR TUSHAR MEHTA for Petitioner

MR BY MANKAD, AGP. for Respondents No.1 to 4.

MR.KETAN D.SHAH for Respondent No.5.

MR PM BHATT for Respondent No. 6

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 16/02/2000

ORAL JUDGEMENT

Rule. Mr.B.Y.Mankad, Mr.Ketan D.Shah and Mr.P.M.Bhatt waive service of rule for the respective parties.

The Collector has rightly observed that the decision of the Civil Court will have to be implemented by making entries in the revenue record. It is well settled that the mutation entries are for fiscal purposes only and they do not create or confer any title to the property.

The learned Counsel for the respondents no.6 and 7 states that he has no objection if in the circumstances of the case the order of the Secretary is set aside and the order of the Collector is allowed to stand. Accordingly the impugned order of the Secretary is set aside. The revenue authority shall not take any other proceedings till the decision of the Civil Court. Rule made absolute accordingly with no order as to costs.

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m.m.bhatt